

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

SYNERGEN INC., a Michigan
Corporation,

Plaintiff,

vs.

FCA US LLC (f/k/a Chrysler Group,
LLC), a Delaware limited liability
company,

Defendant.

Case No. 2:16-cv-11842

Honorable Matthew F. Leitman

Magistrate R. Steven Whalen

**SPECIAL DISCOVERY MASTER'S
SECOND RULE 53 REPORT AND
RECOMMENDATION
REGARDING CERTAIN
DISCOVERY DISPUTES**

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**SPECIAL DISCOVERY MASTER'S FIRST RULE 53 REPORT AND
RECOMMENDATION REGARDING CERTAIN DISCOVERY DISPUTES**

Pursuant to the Court's March 28, 2017 Order Appointing Special Master for Resolving Discovery Dispute (the "Order"), the Special Discovery Master, Retired Judge Richard P. Hathaway, submits his Second Rule 53 Report and Recommendation Regarding Certain Discovery Disputes ("Rule 53 Report"), which is attached as Exhibit 1 hereto. (Dkt. 60, ¶ 6.) In addition, as required by the Court's Order, attached as Exhibits 2 through 9 are the original motions, responses, reply briefs, and supplemental briefs (without exhibits due to size) submitted by the parties relating to the discovery disputes that are the subject of my Second Rule 53 Report. A full list of all documents attached hereto is as follows:

1. Second Rule 53 Report;
2. Plaintiff/Counter-Defendant Synergen, Inc.'s and Third-Party Defendant UUSI, LLC d/b/a Nartron Corporation's Motion to Quash the May 9, 2017 Subpoenas Issued to Non-Parties JVIS Manufacturing LLC and JVIS-USA, LLC ("Motion to Quash") dated May 11, 2017;
3. FCA US LLC's Response to Synergen / Nartron's Motion to Quash dated May 25, 2017;
4. Synergen / Nartron's Reply Brief in Support of Motion to Quash dated June 1, 2017;
5. Synergen / Nartron's Supplemental Brief in Support of Motion to Quash dated June 14, 2017;

6. FCA US LLC's Supplemental Response Brief in Opposition to Motion to Quash dated June 16, 2017;
7. Synergen / Nartron's Supplemental Brief in Support of Motion to Quash and Opposition to FCA US, LLC's Premature Request for Ruling on Objections to Discovery Requests Dated June 9, 2017 For Which No Formal Response is Even Due; and Proposed Preliminary Ruling of Discovery Master – Dated July 10, 2017.
8. FCA US LLC's Second Supplemental Brief in Opposition to Motion to Quash dated July 10, 2017; and
9. FCA US LLC's Proposed Preliminary Ruling of Special Discovery Master dated July 10, 2017.

I anticipate additional Rule 53 Reports being issued relating to outstanding discovery issues.

By: /s/ Richard P. Hathaway
SPECIAL DISCOVERY MASTER
RETIRED JUDGE RICHARD P.
HATHAWAY

Dated: August 7, 2017

CERTIFICATE OF SERVICE

I hereby certify that on August 7, 2017, counsel for FCA US LLC e-filed this document and supporting exhibits with the Court's e-file system, which shall provide notice to all parties.

/s/ Jennifer B. Chilson

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